

Notice of Allowability

Application No.

10/603,021

Examiner

John P. Fitzgerald

Applicant(s)

STEPANIK ET AL.

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 January 2006.
2. ☒ The allowed claim(s) is/are 20-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 9-13, filed 27 December 2005, with respect to independent claims 20 and 23 have been fully considered and are persuasive.

Allowable Subject Matter

2. Claims 20-29 are allowed over the Prior Art of record.

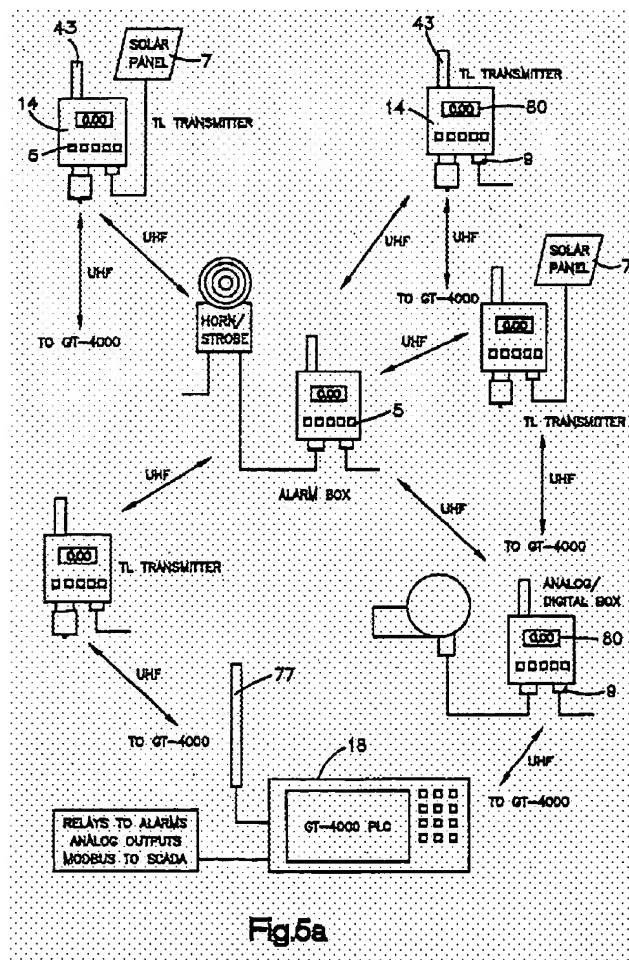
3. The following is an examiner's statement of reasons for allowance: The primary reasons for allowance of independent claims 20 and 23 the inclusion of a method and apparatus to capture and portray information respecting airborne noxious gasses present in the atmosphere of or down-wind from a gas or oil production well-site **not** (emphasis added) having access to the communications and power supply public infrastructure (i.e. **a standalone electronic warning system** (emphasis added) as recited in claim 23), **an intrinsically safe housing** (emphasis added) containing a central communication interface, specific communication means, including local wireless means, cellular wireless long-distance means coupled to the central communication interface for transmit raw data over the internet, **a satellite transponder long-distance means having voice-communication means integrated therein** (emphasis added), and a **switching means** (emphasis added) for selecting either the cellular wireless long-distance means or satellite **transponder means which can be automatically selected based on the signal strength** (emphasis added):

4. These particular apparatus and method step limitations in combination were not reasonably found in the Prior Art. While the Prior Art discloses various airborne detection

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means, including many types of communication means/internet means, the Prior Art does not disclose the particular combination in the instant independent claims, nor does it provide a specific motivation to alter or employ the claimed limitations. The closest Prior Art reference is US 6,259,956 to Dungan (see Fig.5a below), which discloses a wireless detection system sharing some elements of the instant claims, however, does not provide for all of the specific limitations recited/emphasized above.

US 6,670,887 to Dungan



Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

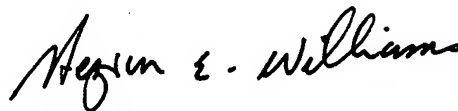
5. Applicant is invited to review PTO form 892 accompanying this Office Action listing art relevant to the instant invention cited by the Examiner.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Fitzgerald whose telephone number is (571) 272-2843. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams, can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JF

04/14/2006



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